

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL MUEHL,

Plaintiff,

ORDER

v.

09-cv-16-bbc

BELINDA SCHRUBBE, Health Service Manager;
MARY SLINGER, Registered Nurse;
FRAN JENNINGS, Registered Nurse;
GAIL WALTZ, Registered Nurse;
CHARLENE REITZ, Registered Nurse; and

Defendants.

In this case, plaintiff Michael Muehl is proceeding on his claims that defendants Schrubbe, Slinger, Reitz and Jennings failed to provide him with appropriate care for a MRSA infection and that defendants Reitz, Waltz and Schrubbe failed to provide him with appropriate care for his wounds after he cut himself. Now plaintiff has filed a motion for preliminary injunctive relief, asking to be transferred from the Green Bay Correctional Institution to a facility where he will be monitored more closely in order to prevent him from attempting suicide. I will deny plaintiff's motion because it is outside the scope of the claims raised in this lawsuit.

In his motion for preliminary injunctive relief, plaintiff states that since February 2009, while incarcerated at the Green Bay Correctional Institution, he has attempted suicide three times, but prison staff continue to ignore him when he makes threats about committing suicide and then fail to stop him from attempting suicide. As serious as these allegations are, they are not related to plaintiff's claims in this case. The claims on which plaintiff was allowed to proceed relate to incidents that occurred from October 2007 to December 2008 at the Waupun Correctional Institution. The defendants in this case do not work at the Green Bay Correctional Institution and do not have control over the conditions of that prison. Moreover, plaintiff seeks an injunction ordering Green Bay Correctional Institution warden William Pollard to transfer him to a facility where he will be monitored more closely, but Pollard is not a defendant in this lawsuit. If plaintiff believes that Green Bay Correctional Institution officials are failing to protect him from committing suicide, he will have to file a new and separate lawsuit raising that claim against the individuals he believes are responsible for the alleged unconstitutional acts, and he may renew his request for preliminary injunctive relief in that case.

ORDER

IT IS ORDERED that plaintiff's motion for preliminary injunctive relief, dkt. #35, is DENIED because the matters raised in the motion are outside the scope of the issues on

which plaintiff has been allowed to proceed in this case.

Entered this 9th day of June, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge